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the lot numbers shown on the plat. They do not refer to any rights to use the streets in common with anyone else or even the right to use them. The deeds obviously would and do not include any rights in the streets or alleys since not only were the streets and alleys dedicated to the public, but they also marked the boundaries of the various lots which they abutted, and which lots alone were being conveyed. (see Plaintiffs' Exhibit A)

II. Law.

Plaintiffs have asserted that "at common law, and since 1888 by statute (Annotated Code 1966 Replacement Vol., Art. 21, Sec. 107), the titles of property owners ran to the centers of streets and alleys upon which said properties abutted, subject only to the public easements in said streets and alleys." Said assertion is only partly true and is not the applicable part of the law in the instant case. The above statute is now found in the Real Property Volume of the Annotated Code of Maryland (1974 Repl. Vol., 1976 Cum. Supp.), Title 2, Section 2-114, which specifically states as follows:

"Unless a contrary intention appears in the deed, will, or other instrument, if any deed, will or other instrument grants or bequeaths land binding on any street or highway, or if any street or highway is one or more of the lines of the land, the deed, will, or other instrument passes to the legatee, donee, or grantee, all the right, title, and interest of the testator, donor, or grantor in the street or highway. Except that to the extent the testator, donor, or grantor owns other land on the opposite side of the street or highway, the deed, will, or other instrument passes the right, title, and interest of the testator, donor, or grantor only to the center of that portion of the street or highway on which the two or more tracts coextensively bind." (emphasis added)

It is evident from the Plat of Nicholas Hall and the text related thereto, that a contrary intention has been made clear and does appear among the Land Records for Frederick County, Maryland, and that the future deeds from him and his heirs and assigns only conveyed lots as he had laid them out, which lots specifically do not include any of the streets and alleys.